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In re application of: Foster, et al. :
Serial No.: 10/620,043 :
Filed: July 15, 2003 :
For: IN-LINE MANUALLY OPERATED :
LIQUID DISPENSER WITH :
SIMPLIFIED CONSTRUCTION :

Examiner: CARTAGENA, Melvin A.
Group Art Unit: 3754

REPLY BRIEF

The following remarks are present in reply to the Examiner's Answer mailed on February 16, 2007.

REPLY TO EXAMINER'S ANSWER

In the Examiner's Answer, arguments were presented for the first time that the U.S. Patent of Micallef No. 4,138,039, disclosed in Figure 2 a pair of vertical parallel walls on top of a cylindrical housing wall 32 that surrounds a pump chamber and a resilient bulb 24. It appears that this argument is addressing applicant's statements in the Appeal Brief that the rejection of Claim 36 interprets the stem extension 42 of the Micallef reference as the claimed center tube, but fails to identify the other subject matter of Claim 36. It appears that the pair of vertical parallel walls referred to in the Examiner's Answer are contended to identically show the "pump plunger having a center tube with a liquid discharge passage extending through the center tube and communicating with the interior volume of the pump chamber, and the pump plunger having a top wall and a pair of side walls that surround the center tube with the entire center tube being spaced inwardly and separated from each of the pump plunger top wall and side walls" recited in Claim 36. However, the rejection of Claim 36 interprets the stem extension 42 of the Micallef reference as the claimed center tube of the pump plunger. The cylindrical housing wall 32 shown in Figure 2 of the Micallef reference is not a part of the center tube or stem extension 42, but is completely separate from the stem extension 42. The stem extension 42 of the Micallef reference is not a "pump plunger having a center tube" and "having a top wall and a pair of side walls that surround the center tube with the entire center tube being spaced inwardly and separated from each of the pump plunger top wall and side walls" as recited in Claim 36. Because the Micallef reference does not identically show these features of the

invention recited in Claim 36, the rejection of the claim is made in error and should be reversed and the claim allowed.

The Examiner's Answer also includes statements interpreting the Micallef reference as disclosing the resilient bulb 24 having an integrally formed input vent valve, and the pump chamber formed by the resilient bulb and the base 22 having an integrally formed input port where an input bulb valve 26 seats. It appears as though these arguments are attempting to read the Micallef reference on the subject matter of dependent Claim 35. However, dependent Claim 35 recites a tubular input valve integrally formed with the bulb and a tubular output valve integrally formed with the bulb. These features of the invention are not identically disclosed by the Micallef reference, and therefore the reference does not anticipate dependent Claim 35. The rejection of Claim 35 is made in error and should be reversed and the claim allowed.

It appears that the other arguments raised in the Examiner's Answer have been addressed in the Appeal Brief. For the reasons set forth above and for the reasons set forth in the Appeal Brief, it is respectfully submitted that the rejections of Claims 26, 33-36, and 39-49 are made in error and should be reversed and the claims allowed.

Respectfully submitted,

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